

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on September 26, 2023

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, September 26, 2023, at 3:00 p.m., prevailing time, in the third floor Assembly Room of the Municipal Center, 222 First Street, Henderson, Kentucky, designated as the primary location for this video teleconference meeting allowed under KRS 61.826.

MAYOR STATON led the recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Bradley S. Staton presiding:

PRESENT:

Commissioner Robert N. Pruitt, Sr.

Commissioner Nicholas E. Whitt (came in a few minutes after roll call was taken)

Commissioner Austin P. Vowels

Commissioner Rodney Thomas

ALSO PRESENT:

Mr. William L. “Buzzy” Newman, Jr., City Manager

Mrs. Dawn Kelsey, City Attorney

Ms. Maree Collins, City Clerk

Mrs. Holli Blanford, Public Information Officer

Mr. Robert Gunter, Finance Director

Mr. Trace Stevens, Parks, Recreation & Cemeteries Director

Mrs. Karla Beckgerd, Human Resources Specialist

Ms. Karen Price, Benefits Coordinator

Mr. Tim Clayton, Gas System Director

Ms. Jordan Webb, Emergency Communications Director

Mr. Josh Dixon, Fire Chief

Mr. Nick Mangarella, Assistant Fire Chief

Mr. Brian Williams, Public Works Director

Mr. Sam Lingerfelt, Safety & Training Coordinator

Mr. Dylan Ward, Project Manager

Mrs. Donna Madden, Executive Assistant

Mr. Travis Owens, Assistant IT Director

Mr. Johnathan Hobbs, Bus Operator

Mr. Kevin Walters, Crew Worker

Ms. Megan Coker, Communications Officer

Ms. Meagan Collier, Communications Officer

Ms. Amy Roberson, Secretary

Mr. McKeal Myers, Sanitation Worker

Mr. David Wright, IT Network Administrator II

Mr. Victor Carson, IT Network Administrator I

Mr. Bart Boles, Henderson Water Utility General Manager

Mrs. Angie Gatten, Community Addiction Awareness Coordinator

Mr. Bill Latta, Field & Main Insurance Services

Ms. Whitney Floyd, Field & Main Insurance Services

Ms. Nicole Smith, Field & Main Insurance Services

Ms. Deneatra Henderson, KYTC District 2 Chief District Engineer

Mr. Dwight Williams

Mrs. Kristie Randolph, The Chloe Randolph Organization

Ms. Lynda Schreiner, Victim’s Advocate, Henderson County Attorney’s Office

Mr. Vince Tweddell, Publisher/Editor, the Hendersonian

Mr. Briscoe Edwards, Police Officer

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PRESENTATION: “Twin Bridge Inspection Project and Traffic Update”

DENEATRA HENDERSON, Kentucky Transportation Cabinet District 2 Chief District Engineer, gave a brief update on the Twin Bridge Inspection Plan and KYTC’s plan to alter traffic patterns to three lanes on the north bound bridge to help alleviate the traffic backups that have been caused during the south bound bridge inspections. Ms. Henderson explained that this was one time that the traffic models grossly underestimated the real life traffic across the twin bridges. KYTC has mobilized to enact traffic patterns that were implemented in 2016 from a previous bridge project. They hope to have the lane changes completed by the end of the week. Ms. Henderson reported that this type of testing/inspection needs to be completed during daylight hours and that they have six inspectors working instead of the standard one or two with an anticipated completion date of November 18th.

PROCLAMATION: “Domestic Violence Awareness Month”

MAYOR STATON proclaimed the month of October 2023 as “Domestic Violence Awareness Month” in Henderson, Kentucky, and urged all citizens to join in speaking out against domestic violence and actively support local efforts to recognize the importance of domestic violence awareness by supporting the institutions and organizations that encourage domestic violence awareness throughout our community.

KRISTIE RANDOLPH, The Chloe Randolph Organization Executive Director, was present to accept the proclamation. She indicated that the open house and ribbon cutting for their new location is scheduled for tomorrow, Wednesday, September 27th from 11 a.m. to 3 p.m. with the ribbon cutting at 11:30 a.m. She further reported that the annual Candles of Hope event has been scheduled for October 28th at the Preston Fine Arts Center. That event will include keynote speaker Detective Jason White from Tulsa homicide of the 48 Hours television show.

MAYOR STATON indicated that having this keynote speaker here is a very big deal and hopes that it will garner a lot of attention for this worthy cause.

LYNDA SCHREINER, Henderson County Attorney’s Office Victim’s Advocate, highlighted the need for local safe housing of those experiencing domestic violence.

PRESENTATION: “Workers’ Compensation Refund Check”

KAREN PRICE, Benefits Coordinator, introduced BILL LATTA, Director of Insurance, Field & Main Insurance, WHITNEY FLOYD, President, Field & Main Insurance, and NICOLE SMITH, Account Manager, Field & Main Insurance, indicating that the City has been fortunate to work with this team for such a long time.

Ms. Floyd thanked the Board for the close partnership over all these years and presented a Kentucky Employers’ Mutual Insurance (KEMI) dividend check in the amount of \$59,441.85 to the City for keeping the loss ratio under 65% for the 2020 insurance year. She indicated that this might be the largest dividend check received by the City.

SAM LINGERFELT, Safety & Training Coordinator, reported that the City has been with KEMI since 2005. The current budget estimate for the workers’ compensation premium is \$341,206.00 and due to receiving discounts for establishing safety policies and training, longevity with the company and our safe work record – the premium went down to \$208,230.00 less this dividend for a total of \$148,788.00 for the year. City employees are to be commended for their diligence in continued safe work practices.

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PRESENTATION: “New Employee Recognition”

The City Clerk read into the record the names of the six new city of Henderson employees. Upon recommendation of the City Manager:

Johnathon Hobbs, Bus Operator, Mass Transit; Kevin Walters, Crew Worker, Public Way Improvement division of Public Works; Megan Coker, Communications Officer, Emergency Communications; Meagan Collier, Communications Officer, Emergency Communications; Amy Roberson, Secretary, Mass Transit; and McKeal Myers, Sanitation Worker, Sanitation Collections division of Public Works.

The BOARD OF COMMISSIONERS welcomed our new team members for employment with the City of Henderson.

PRESENTATION: “Community Addiction Awareness Coordinator Discussion – Narcan Station in Municipal Buildings”

ANGIE GATTEN, Community Addiction Awareness Coordinator, reported that the new “Stop the Overdose Project” was created to educate the community to combat the deadly effects of Fentanyl and opioids. She indicated that we have to find ways to erase some of the stigma that is related to substance misuse. One of the ways is to provide Narcan kits in public locations. Narcan is first aid, it goes right along with providing CPR services and should be located along side AEDs (automated external defibrillator). She recommended that the City consider installing Narcan kits in city buildings,

DISCUSSION WAS HELD relating to the cost of each canister; who would provide the Narcan – Mrs. Gatten indicated that their program could provide Narcan; who would be responsible for replenishment; possible locations – including expanding from just City owned buildings, but include most City vehicles; that our HART buses have been supplied with Narcan and drivers have been provided training on how to administer it; that the City Manager and Ms. Gatten should detail a Plan to move forward.

MOTION by Commissioner Pruitt, seconded by Commissioner Whitt, authorizing the City Manager and the Community Addiction Awareness Coordinator to work out the details of a Plan for the locations, placement and maintenance of Narcan Kits in City owned facilities to best protect our employees as well as the public.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
 Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
 Mayor Staton ----- Aye:

ORDINANCE NO. 22-23: SECOND READ

ORDINANCE CLOSING PUBLIC RIGHT-OF-WAY

AN ORDINANCE CLOSING UNIMPROVED PUBLIC RIGHT-OF-WAY WHICH IS APPROXIMATELY 15 FEET WIDE BY 417.42 FEET LONG LOCATED IN THE CITY OF HENDERSON AND RUNNING BETWEEN FOURTH STREET AND FIFTH STREET

MOTION by Commissioner Thomas, seconded by Commissioner Vowels, that the ordinance be adopted.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
 Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:

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Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the ordinance adopted, affixed his signature and the date thereto and ordered that the same be recorded.

 /s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk_____

ORDINANCE NO. 23-23: SECOND READ
ORDINANCE AMENDING APPENDIX A – ZONING
ORDINANCE AMENDING ARTICLE II-DEFINITIONS SEC. 2.01-DEFINITIONS,
AND ARTICLE XXI- H-C, HIGHWAY COMMERCIAL DISTRICT, SEC. 21.03,
CONDITIONAL USES, OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF
THE CITY OF HENDERSON TO DEFINE AND PERMIT GAMING FACILITIES AS A
CONDITIONAL USE IN THE HIGHWAY COMMERCIAL DISTRICT

MOTION by Commissioner Vowels, seconded by Commissioner Pruitt, that the ordinance be adopted.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt ----- Aye: Commissioner Thomas --- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the ordinance adopted, affixed his signature and the date thereto and ordered that the same be recorded.

 /s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk_____

ORDINANCE NO. 24-23: SECOND READ
ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS
ORDINANCE ACCEPTING PUBLIC UTILITY IMPROVEMENTS (SANITARY
SEWER, POTABLE WATER, AND STORMWATER SYSTEM) ON PROPERTY LOCATED
IN CANOE CREEK SUBDIVISION II, SECTION 3, IN THE CITY OF HENDERSON

MOTION by Commissioner Thomas, seconded by Commissioner Whitt, that the ordinance be adopted.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt ----- Aye: Commissioner Thomas --- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the ordinance adopted, affixed his signature and the date thereto and ordered that the same be recorded.

 /s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk_____

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ORDINANCE NO. 25-23: FIRST READ

ORDINANCE AWARDDING A NON-EXCLUSIVE TELECOMMUNICATIONS
FRANCHISE

AN ORDINANCE AWARDDING A NON-EXCLUSIVE FRANCHISE TO OPENFIBER KENTUCKY COMPANY, LLC, D/B/A ACCELECOM FOR A TERM OF TEN (10) YEARS FOR A TELECOMMUNICATIONS SYSTEM WITHIN THE CONFINES OF THE CITY OF HENDERSON, KENTUCKY; AND AUTHORIZING THE MAYOR TO SIGN FRANCHISE AGREEMENT ON BEHALF OF THE CITY

MOTION by Commissioner Pruitt, seconded by Commissioner Vowels, that the ordinance be adopted.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the ordinance adopted on its first reading and ordered that it be presented for a second reading at a meeting of the Board of Commissioners.

ORDINANCE NO. 26-23: FIRST READ

ORDINANCE AMENDING CHAPTER 8-CEMETERIES

AN ORDINANCE AMENDING CHAPTER 8-CEMETERIES, ARTICLE I-IN GENERAL, SEC. 8-3-RULES AND REGULATIONS, AND ARTICLE III-FEES AND CHARGES, SEC. 8-51-INDIGENT BURIALS, OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

MOTION by Commissioner Whitt, seconded by Commissioner Thomas, that the ordinance be adopted.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the ordinance adopted on its first reading and ordered that it be presented for a second reading at a meeting of the Board of Commissioners.

RESOLUTION NO. 51-23:

RESOLUTION SETTING FEES AND CHARGES FOR CEMETERIES AS AUTHORIZED BY CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON, KENTUCKY

MOTION by Commissioner Thomas, seconded by Commissioner Vowels, to approve the Schedule of Fees and Charges for cemetery services as authorized by Chapter 8, *Cemeteries*, of the Code of Ordinances.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
Mayor Staton ----- Aye:

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WHEREUPON, Mayor Staton declared the resolution adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

 /s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk_____

MUNICIPAL ORDER NO. 47-23:

MUNICIPAL ORDER APPROVING CONTRACT BETWEEN CITY OF HENDERSON AND BELL ENGINEERING FOR PROFESSIONAL SERVICES RELATING TO THE NATURAL GAS PROJECT FOR PHASE I AND PHASE II OF THE KENTUCKY TRANSPORTATION CABINET (KYTC) WATSON LANE PROJECT TO IMPROVE SAFETY AND REDUCE CONGESTION ON CS-1372 IN THE AMOUNT OF \$150,308.00; AND AUTHORIZE MAYOR TO EXECUTE CONTRACT ON BEHALF OF THE CITY

MOTION by Commissioner Pruitt, seconded by Commissioner Vowels, to approve the contract with Bell Engineering for engineering services related to a Kentucky Transportation Cabinet project that requires the City’s natural gas lines to be relocated.

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, indicated that Watson Lane has been under design as a part of a Kentucky Transportation Cabinet project for some time now. Phase I of the Project includes utility relocation which includes the City’s natural gas lines. KYTC covers the cost of design of utility relocations for this project.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

 /s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk_____

MAYOR STATON reported that the next three items have been discussed in detail in previous meetings and were recommended to be brought forward for formal action.

MUNICIPAL ORDER NO. 48-23:

MUNICIPAL ORDER AWARDING BID FOR THE RECEIPT, SORTING AND MARKETING OF THE CURBSIDE COLLECTION OF RECYCLABLE MATERIALS TO ENTERPRISE ZONE EDUCATION AND TRAINING CENTER CORPORATION OF EVANSVILLE, INDIANA, IN THE AMOUNT OF \$120.00 PER TON

MOTION by Commissioner Vowels, seconded by Commissioner Pruitt, to approve awarding the bid for the receipt, sorting and marketing of curbside collected recyclable materials to Enterprise Zone Education and Training Center Corporation of Evansville, Indiana in the amount of \$120.00 per ton, in strict accordance with its bid as submitted pursuant to Bid Reference #23-25.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
Mayor Staton ----- Aye:

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WHEREUPON, Mayor Staton declared the municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk _____

MUNICIPAL ORDER NO. 49-23:

MUNICIPAL ORDER AWARDING BID FOR CURBSIDE RECYCLING TO WASTE MANAGEMENT HOLDINGS, INC OF EVANSVILLE, INDIANA, IN THE AMOUNT OF \$6.75 PER MONTH FOR EACH PARTICIPANT

MOTION by Commissioner Thomas, seconded by Commissioner Vowels, to approve awarding the bid for the purchase of curbside recycling services to Waste Management Holdings, Inc. of Evansville, Indiana in the amount of \$6.75 per month for each participant, in strict accordance with its bid as submitted pursuant to Bid Reference #23-24.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt ----- Aye: Commissioner Thomas --- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk _____

MUNICIPAL ORDER NO. 50-23:

MUNICIPAL ORDER ACCEPTING PROPOSAL FOR PURCHASE OF A FIRE PUMPER APPARATUS TO ATLANTIC EMERGENCY SOLUTIONS OF MANASSAS, VIRGINIA, IN AN AMOUNT NOT TO EXCEED \$841,015.00

MOTION by Commissioner Pruitt, seconded by Commissioner Whitt, to approve acceptance of the proposal of Atlantic Emergency Solutions of Manassas, Virginia, for the purchase of a fire pumper apparatus in an amount not to exceed \$841,015.00.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
Commissioner Whitt ----- Aye: Commissioner Thomas --- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
September 26, 2023

ATTEST:
Maree Collins, CKMC, City Clerk _____

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CITY MANAGER’S REPORT:

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that he has three items for today. The first two are related to Henderson Water Utility. He indicated that he attended their regular board meeting where they passed a resolution authorizing issuance of a \$15.1 million revenue bond to be presented to this Board for presentation at the called, October 17th meeting. Further at their meeting, it was reported that the current phase of the Countryview Subdivision Stormwater Drainage project is substantially complete. They have hired an engineering firm to design the last three sections of the project. It is anticipated the bid package will go out sometime late winter. The Project is still on schedule and we hear nothing but positive results from the work that has been completed to date.

For the last item, I will ask that Project Manager Dylan Ward present information on the Sports Complex project.

DYLAN WARD, Project Manager, reported that he received additional updated information on some of the outstanding PRs

CITY ATTORNEY’S REPORT: “Proposed Zoning Ordinance Review – Towing Services”

DAWN KELSEY, City Attorney, presented a proposed zoning ordinance amendment to update the definitions of Towing Services and Towing Recovery Yards and to place them as a condition use in M-1, Light Industrial District or a permitted use in M-2, Heavy Industrial District.

MOTION by Commissioner Thomas, seconded by Commissioner Pruitt to forward the proposed ordinance changes to the Planning Commission to conduct a public hearing and make recommendation.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
 Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
 Mayor Staton ----- Abstain:

BOARD/COMMISSION RE-APPOINTMENT: “Parks & Recreation Commission”
 Reverend Anthony Anguish – Term to Expire September 14, 2023
 Donna Spencer – Term to Expire September 14, 2023

MOTION by Commissioner Thomas, seconded by Commissioner Whitt, upon recommendation of Mayor Brad Staton, to re-appoint Reverend Anthony Anguish and Donna Spencer to terms of four years on the Parks & Recreation Commission. Said term to expire September 14, 2027.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye: Commissioner Vowels --- Aye:
 Commissioner Whitt----- Aye: Commissioner Thomas--- Aye:
 Mayor Staton ----- Aye:

BOARD/COMMISSION RE-APPOINTMENT: “Henderson City/County Human Rights Commission”
 Dr. Michelle Chappell – Term to Expire September 17, 2023
 Ginger Stovall (Joint Appointment with County) – Term to Expire September 17, 2023

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MOTION by Commissioner Whitt, seconded by Commissioner Vowels, upon recommendation of Mayor Brad Staton, to re-appoint Dr. Michelle Chappell and to jointly appoint with the Henderson County Fiscal Court Ginger Stovall to terms of three years on the Henderson City/County Human Rights Commission. Said terms to expire September 17, 2026.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye:	Commissioner Vowels --- Aye:
Commissioner Whitt ----- Aye:	Commissioner Thomas --- Aye:
Mayor Staton ----- Aye:	

COMMISSIONER’S REPORTS:

COMMISSIONER PRUITT expressed how proud he was that Henderson was selected as the Green River Area Development District’s (GRADD) ‘Community of the Year’ for the inner-city improvement plan to prioritize projects in the inner-city area.

MAYOR STATON reported that the next meeting is scheduled for Tuesday, October 17th with the work session to follow that afternoon, with no meeting on the regular night of October 10th due to Fall Break. The work session topics will be a report on homelessness from the Homeless Coalition; and then the Inner City Improvement Plan committees will be presenting final reports on Tuesday, October 24th at 6:00 p.m. at Jefferson school.

MEETING ADJOURN:

MOTION by Commissioner Whitt, seconded by Commissioner Thomas, to adjourn the meeting.

The vote was called. On roll call, the vote stood:

Commissioner Pruitt ----- Aye:	Commissioner Vowels --- Aye:
Commissioner Whitt ----- Aye:	Commissioner Thomas --- Aye:
Mayor Staton ----- Aye:	

WITHOUT OBJECTION, Mayor Staton declared the Meeting adjourned at approximately 3:56 p.m.

ATTEST:

Maree Collins, CKMC
City Clerk

Bradley S. Staton, Mayor
October 24, 2023